

1 THE HONORABLE JOHN C. COUGHENOUR  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 RODWAN SABOW,

11 Plaintiff,

v.

12 AMERICAN SEAFOODS COMPANY,

13 Defendant.

14 CASE NO. C16-0111-JCC

ORDER

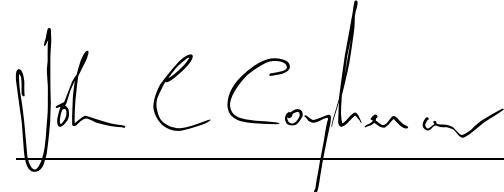
15 This matter comes before the Court on Defendant's response (Dkt. No. 52) and Plaintiff's  
16 response (Dkt. No. 54) to the Court's July 17, 2018 minute order regarding remand from the  
17 Ninth Circuit.

18 On June 18, 2018, the Ninth Circuit affirmed in part and reversed in part this Court's  
19 order on summary judgment. (Dkt. No. 48 at 5.) The Ninth Circuit remanded the matter to this  
20 Court to determine whether Defendant is entitled to an offset resulting from an advance payment  
21 made to Plaintiff. (*Id.* at n.1.) The Court requested briefing from the parties on the issue. (Dkt.  
22 No. 51.) Defendant responded, withdrawing its claim to recover the advance and asking the  
23 Court to dismiss the case. (Dkt. No. 52 at 2.) Plaintiff did not object to Defendant's withdrawal  
24 of its claim and request for dismissal (Dkt. No. 54), and this is the only remaining issue before

1 the Court.<sup>1</sup> Therefore, the Court finds good cause to DISMISS this action pursuant to Federal  
2 Rule of Civil Procedure 41(a)(2). The Clerk is DIRECTED to close this case.

3 DATED this 24th day of September 2018.

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John C. Coughenour

UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Plaintiff requests that the Court order Defendant to pay outstanding costs previously awarded to Plaintiff by the Court. (Dkt. No. 54 at 3.) The Court directs the parties to its July 5, 2016 order addressing this issue. (Dkt. No. 41.)